

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Application No.: 10/531,890
Filing Date: November 28, 2005
Applicant: Richard Norman Johnson
Confirmation No.: 6109
Group Art Unit: 1794
Examiner: Timothy M. Speer
Title: THERMALLY CONDUCTIVE EMI SHIELD
Attorney Docket: 9062-000174/US/NP

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER

Sir:

Attached for the Examination's information is a copy of a June 5, 2009 Second Office Action from pending Chinese national phase application No. 200380104905.3 for which Richard Norman Johnson is an inventor, and which is related to the instant application through a priority claim. The European patent document EP 0945916A1 (D1) cited in the June 5, 2009 Second Office Action from Chinese national phase application No. 200380104905.3 has already been cited in Form 1449 previously filed December 19, 2006 and made of record by in the instant application.

Applicant does not believe there is any fee due in connection with this filing because this filing is before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution; and

the undersigned hereby certifies that the attached June 5, 2009 Second Office Action is from a foreign patent office (i.e., Chinese patent office) in a counterpart foreign

application (i.e., Chinese national phase application No. 200380104905.3) not more than three months prior to this filing (See 37 C.F.R. § 1.97(e)(1)); and

the undersigned hereby states that the attached communication (i.e., the June 5, 2009 Second Office Action) from a foreign patent office (i.e., Chinese patent office) in a counterpart application (i.e., Chinese national phase application No. 200380104905.3) was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to this filing.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

This filing is being made only in the interest of candor and without any admission that it contains statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, the filing of this letter shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Respectfully submitted,

/Anthony G. Fussner/

Dated: June 17, 2009

By: _____

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